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Date:

8/20/04

By:

[Signature]

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DAVID WILLIAM JAMES HOLMES.

APPLICATION NO.: 10/814,574

FILED: MARCH 31, 2004

FOR: CUSTOMER ACTIVATION SYSTEM FOR CELLULAR NETWORK

EXAMINER: UNKNOWN

ART UNIT: 2681

CONF. No: 6917

**Information Disclosure Statement Within Three Months of
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☐ Copies of the following references are enclosed:

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

- ☒ Copies of the following references can be found in parent U.S. Application No.10/226,755:
 - ☐ All cited references
 - ☐ References marked by asterisks
 - ☐ The following:
- ☐ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
 - ☐ All cited references
 - ☐ References marked by ampersands
 - ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

- ☐ Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
 - ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or

- ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

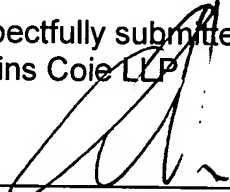
However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0665.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Date: 8/19/04

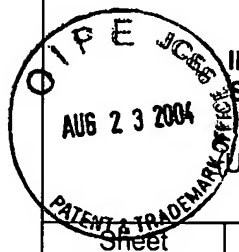
Respectfully submitted,
Perkins Coie LLP



Christopher J. Daley-Watson
Registration No. 34,807

Correspondence Address:

Customer No. 30083
Perkins Coie LLP/AWS
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000



**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
Form PTO-1449 (Modified)
Use several sheets if necessary)

COMPLETE IF KNOWN

Sheet 1 of 3

Application Number	10/814,574
Confirmation Number	6917
Filing Date	March 31, 2004
First Named Inventor	David William James Holmes
Group Art Unit	2681
Examiner Name	
Attorney Docket No.	101948007US3

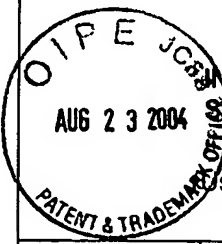
U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			
		4,593,155		Hawkins	06/03/1986	
		4,817,190		Comroe et al.	03/28/1989	
		4,864,599		Saegusa et al.	09/05/1989	
		4,910,510		Davis et al.	03/20/1999	
		4,951,308		Bishop et al.	08/21/1990	
		4,958,368		Parker	09/18/1990	
		4,965,821		Bishop et al.	10/23/1990	
		4,977,592		Hollowed et al.	12/11/1990	
		5,020,091		Krolopp et al.	05/25/1991	
		5,046,082		Zicker et al.	09/03/1991	
		5,077,790		D'Amico et al.	12/31/1991	
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		5,155,860		McClure	10/13/1992	
		5,179,373		John	01/12/1993	
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		5,301,223		Amadon et al.	04/05/1994	
		5,315,638		Mukari	05/24/1994	
		5,335,278		Matchett et al.	08/02/1994	
		5,381,138		Stair et al.	01/10/1995	
		5,386,455		Cooper	01/31/1995	
		5,423,079		Namiki et al.	06/06/1995	
		5,465,288		Falvey et al.	11/07/1995	
		5,485,505		Norman et al.	01/16/1996	
		5,499,295		Cooper	03/12/1996	

EXAMINER

DATE CONSIDERED

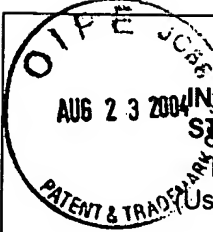
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) Use several sheets if necessary				COMPLETE IF KNOWN	
				Application Number	10/814,574
				Confirmation Number	6917
				Filing Date	March 31, 2004
				First Named Inventor	David William James Holmes
				Group Art Unit	2681
Examiner Name					
Sheet	2	of	3	Attorney Docket No.	101948007US3

U.S. PATENT DOCUMENTS					
		U.S. Patent or Application			
		5,507,009		Grube et al.	04/09/1996
		5,524,135		Mizokovsky et al.	06/04/1996
		5,524,276		Littig et al.	06/04/1996
		5,544,225		Kennedy, III et al.	08/06/1996
		5,577,100		McGregor et al.	11/19/1996
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		6,188,899		Chatterjee et al.	02/13/2001

FOREIGN PATENT DOCUMENTS								
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
		JP	06/224843		Fujitsu Ltd.	08/12/1994		
		EP	0 630 167		AT&T Corp.	12/21/1994		
		CA	2,177,272		Bellsouth International, Inc. - USA	06/01/1995		
		WO	95/15065		Bellsouth International, Inc.	06/01/1995		
		JP	7-203544		Fujitsu, Ltd.	08/04/1995		
		CA	2,182,598		GTE Mobile Communications Service Corporation - USA	08/31/1995		

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Examiner Name					
Attorney Docket No.	101948007US3				
Sheet	3	of	3		

FOREIGN PATENT DOCUMENTS							
		Foreign Patent or Application					
		WO	95/23487		GTE Mobile Communications Service Corporation	08/31/1995	
		WO	96/27270		Ericsson Inc.	09/06/1996	
		EP	0 778 716		AT&T Wireless Services, Inc.	06/11/1997	

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.		
	1	CARDEN, J., "Digital Opens the Door to Over-The-Air Activation," <i>Cellular Business</i> , Volume 11, No. 1, cover, pp.4, 51-52, Intertec Publishing Corporation, Overland Park, Kansas, January 1994.		
	2	HOLMES, D., "Outline Service Description for On-Air Programming," pp.1-4, Telecommunications Industry Association TDMA Digital Cellular Systems Subcommittee, Alberta, Canada, January 24, 1994.		
	3	LEVENSON, S. and WONG, K., "Rapid Service Activation for Personal Communications Access Services," pp. 1-5, Bell Communications Research, Red Bank, New Jersey, IEEE, March 1994.		

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